



# FAX

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**ATTN.** Ramy M. Osman

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**Fax Number** 1 571 273 8300

**Phone Number** 571 272 4008

**FROM** Volel Emile, Esq.

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**Fax Number** (512) 306-0240

**Phone Number** (512) 306-7969

**SUBJECT** Notice of Appeal (09/964,999)

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**Number of Pages** 6

**Date** 10/11/2005

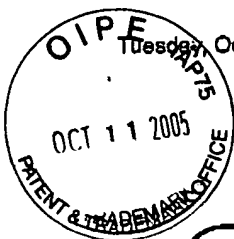
## MESSAGE

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This fax communication contains:

1. one copy of a Fax Transmittal Form; and
2. two copies of the Notice of Appeal, including fee.

Volel



Tuesday, October 11, 2005 1:52 PM

Volei Emile, Esq. (512) 306-0240

p.02

PTO/SB/21 (02-04)

Approved for use through 07/31/2009. OMB 0681-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/584,899
	Filing Date	08/27/2001
	First Named Inventor	Samir F. Abdelhedi
	Art Unit	2157
	Examiner Name	Ramy M. Osman
Total Number of Pages in This Submission	Attorney Docket Number	AUS820010901US1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavit/Declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Notice of Appeal	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Volei Emile
Signature	
Date	10/11/2005

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Volei Emile
Signature	
Date	10/11/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 11 2005

Appl. No. 09/964,999  
Notice of Appeal dated 10/11/2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :  
Sanaa F. Abdelhadi :  
Serial No: 09/964,999 : Before the Examiner:  
 : Remy M. Osman  
 :  
Filed: 09/27/2001 : Group Art Unit: 2157  
 :  
Title: APPARATUS AND METHOD : Confirmation No.: 2723  
OF ASCERTAINING REMOTE :  
SYSTEMS ACCESSIBILITY BEFORE :  
RUNNING REMOTE COMMANDS :

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OCT 12 2005

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Appeals from the Decision of the Primary Examiner of July 25, 2005 finally rejecting claims 1 - 20.

In a telephone conversation on September 19, 2005 with Applicants' attorney, the Examiner agreed to enter an Examiner's amendment to cancel Claims 3, 4, 8, 9, 13, 14, 18 and 19 which are either presently rejected (i.e., Claims 3, 8, 13 and 18) or will be rejected (i.e., Claims 4, 9, 14 and 19) under 35 U.S.C. §112, first paragraph. Further, Claims 5, 10, 15 and 20 will be amended to ensure that they no longer depend on canceled claims. This Examiner's amendment will be entered in the Examiner's Reply Brief. The Examiner is greatly thanked for having agreed to do so.

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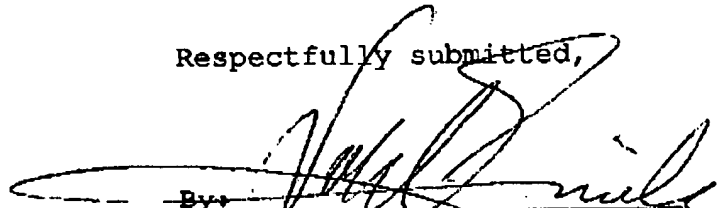
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Appl. No. 09/964,999  
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The item(s) marked below are appropriate:

1. ☐ A petition and fee for extension of term for reply to the final rejection is attached.
2. ☒ Appeal fee  
☒ other than a small entity. Fee: \$500.00
3. ☒ Payment  
☒ Please charge Deposit Account 09-0447 the sum of \$500.00. A duplicate of this notice is attached.

Respectfully submitted,

By:   
Volel Emile  
Attorney for Applicants  
Registration No. 39,969  
(512) 306-7969

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